

**DEPARTMENT OF TRANSPORTATION****DISTRICT 3**

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September 30, 2002

Lisa Hanf  
U. S. Environmental Protection Agency  
75 Hawthorne St.  
San Francisco, CA 94105-3901

Attn: Nancy Levin, Kathy Dady

Dear Lisa Hanf,

Caltrans, and the Federal Highway Administration (FHWA) respectfully request your concurrence on the Least Environmentally Damaging Practicable Alternative (LEDPA) for the Lincoln Bypass project. Caltrans and FHWA propose that the D 13 North Modified Alternative be presented as the LEDPA.

**Impacts to Key Resources**

	AAC2 Alignment	A5C1 Alignment	D1 Alignment	D13 Alignment	D13 South Modification Alignment	D13 North Modification Alignment
Jurisdictional Waters <sup>1</sup>	6.23 ha (15.4 acres)	7.85 ha (19.4 acres)	5.30 ha (13.1 acres)	4.73 ha (11.7 acres)	5.91 ha (14.6 acres)	5.50 ha (13.6 acres)
Vernal Pools and Swales	3.80 ha (9.4 acres)	4.65 ha (11.5 acres)	2.43 ha (6.0 acres)	2.14 ha (5.3 acres)	3.28 ha (8.1 acres)	2.23 ha (5.5 acres)
Riparian and Oak Habitats	11.21 ha (27.7 acres)	8.17 ha (20.2 acres)	1.54 ha (3.8 acres)	4.45 ha (11.0 acres)	1.17 ha (2.9 acres)	4.45 ha (11.0 acres)
Socioeconomic	20 residences	78 residences	20 residences	10 residences	10 residences	18 residences

<sup>1</sup> Includes areas meeting Corps criteria as wetlands and non-wetland waters of the U.S.

A review of the table above indicates that the D 13 impacts 1.9 acres less jurisdictional waters and has 0.2 acre less impact on vernal pools than the D 13 North Modified; however, it does impact a property that has a Permanent Conservation Easement in the Wetlands Reserve Program. (See attachment A) The D 13 North Modified was developed to avoid conflicts with this land use restriction, and will affect only 0.2 acres more vernal pool habitat and 0.77 acres more jurisdictional wetlands than the D 13 alternative.

The Wetlands Reserve Program (WRP) is a voluntary program that provides technical and financial assistance to eligible landowners to address wetland, wildlife habitat, soil,

water, and related natural resource concerns on private lands in an environmentally beneficial and cost-effective manner. Participants voluntarily limit future use of the land, but retain private ownership. WRP is reauthorized in the Farm Security and Rural Investment Act of 2002 (Farm Bill). The Natural Resources Conservation Service (NRCS) administers the program.

All of the alternatives except the D 13 North Modified require acquisition of property that is under the Wetlands Conservation Easement in the Wetlands Reserve Program. Acquisition of this property would require lengthy legal concerns and is not a guaranteed success. This would not be a prudent use of the public funds.

In the EPA's letter of February 8, 2001, EPA expressed concern about the cumulative effects of this project. Specifically, EPA suggested that the AAC2 alternative should be considered as the LEDPA in spite of the fact that it has more impacts than all of the others with the exception of the A5C1. The letter stated that looking only at the number of acres of wetlands impacted does not take into account the issues of habitat fragmentation, loss of wetland functions, and development patterns. EPA further commented that the waters associated with the "AC alignments are likely to be impacted by development regardless of whether these alternatives are selected. Lands crossed by the "D" alignments, on the other hand, are in rural areas and farther from development pressures."

### **Development Patterns**

Figure 1 shows the zoning for the Lincoln General Plan. The green shaded areas are zoned agricultural. It is the City of Lincoln's Policy to ensure that agriculture will continue to be a significant land use within the city's sphere of influence. (See Attachment B.) All the other areas are zoned for development, either industrial or residential. Some Open Space has been incorporated into the planned developments as well. This map shows that, at this point in time, most of the area between the D 13 corridors and existing SR 65 is already intended for either industrial or residential type development. Choosing the AAC2 alternative would not contain growth, since growth is already planned for this area. In fact, it might have the opposite effect of not containing growth. The D 13 North Modified Alternative allows for limited planned growth to occur, yet serves to contain unlimited expansion to the west; whereas the AAC2 will split the town in two and not contain future growth to the west. Building the AAC2 alternative could necessitate another bypass in the future to address probable congestion.

The D 13 North Modified Alternative allows for access to the airport. The Lincoln Municipal Airport serves an important transportation need for the Industrial area adjacent to the airport. The Lincoln Airport authority has proposed major improvements to the airport over the next 20 years. Local access to the airport is critical to the success of both the airport and the adjacent industrial type businesses.

The portions of the project study limits that are outside Lincoln's sphere of influence are under Placer County's direction. Placer County's General Plan shows the entire area affected by the proposed project as zoned for Agriculture, most with an 80-acre minimum parcel size with some smaller areas having a 20-acre minimum parcel size. (See Figure 2). Placer County has a policy to designate adequate agricultural land and promote development of agricultural uses to support the continued viability of Placer County's

agricultural economy. (See Attachment C)

As indicated by both the City and County's general plans, it is apparent that the future land use of the area affected by the bypass has been established regardless of the location of the bypass.

Both the city planners and most of the residents of Lincoln are overwhelmingly in favor of the D 13 alternatives and opposed to the AAC2 and A5C1 alternatives. The D 13 Bypass has been a part of the Lincoln General Plan since 1998 and recent residential and other developments have been approved or constructed on that basis.

### **Habitat fragmentation and Loss of Wetland Functions**

While it is true that the impacts resulting from the various alternatives are compared primarily in terms of acreage, other factors were also considered in the overall LEDPA evaluation. For example, the quality of both vernal pool and marsh wetland types were evaluated and compared based on overall size and diversity of habitat, degree of disturbance, presence of special status species, and other factors. The 'A' alignments would both impact two "high value" vernal pool complexes, while the 'D' alignments would impact one "high value" marsh complex. The relative value of wetland types and the probability of successfully re-establishing particular types of wetlands were also considered in the impact evaluation. Finally, there are other tradeoffs that must be considered. For example, while impacts to jurisdictional waters and wetlands acreage from the AAC2 alignment are comparable with the 'D' alignments, the impact to oak woodland is nearly three times greater than with the 'D' alignments.

For purposes of comparing alternatives, it has generally been assumed that habitat fragmentation will occur, and be comparable in magnitude, regardless of the alternative selected. Only short sections of the 'A' alignments are adjacent to existing development; the majority of each of these alignments traverses open fields similar to the 'D' alignments. Thus, the effects of fragmentation would be similar.

Aitkens Ranch is proposed as mitigation for this project. Through the use of an innovative mitigation rights agreement, the Department has secured the rights to both preservation and restoration components for wetlands/vernal pools at Aitken Ranch. Thus, by the time the proposed project is ready to be constructed, replacement habitat will be in place. The Aitken Ranch site is located approximately 4 miles southwest of the town of Lincoln, on Auburn Ravine Creek in Placer County, California. The site consists of approximately 317 acres of upland grasslands, freshwater marsh, vernal pool/swale complex, and riparian forest through which a one-mile stretch of Auburn Ravine flows. Wildlands, Inc., the property owner, is proposing to preserve existing habitats, restore and/or create wetlands, marsh, valley oak, and riparian habitat on the site and provide ongoing land stewardship. The site will be designed to support Swainson's hawk, vernal pool fairy shrimp, and valley elderberry longhorn beetle (VELB), as well as various riparian- and seasonal wetland-dependent birds. Mitigation at the Aitken site should provide, at a minimum, preservation of 11 acres of vernal pools and swales, 47.5 acres of mixed riparian oak woodland, 10.8 acres of marsh/open water, and 191 acres of upland grassland habitats. The plan also provides for restoration and/or creation of 10 acres of vernal pools and swales, 18 acres of mixed riparian, and 26 acres of valley oak woodland

habitats.

Stewardship of the site will include managed grazing in the upland areas to control exotic annual grasses, such as medusa head, and to promote improved range conditions. Additionally, independent of the mitigation for Lincoln Bypass, steps to improve the condition of Auburn Ravine Creek and its use by steelhead trout, fall-run Chinook salmon, and other fish species are being studied. Ongoing site maintenance will include exotic species control, land-use management for optimal protection of the habitats, and a 10-year monitoring program to assess the success of created and enhanced habitats. A conservation easement will protect the site in perpetuity, and will complement Placer County's permanent open space planned for the Auburn Ravine and Orchard Creek floodplains under the County's Placer Legacy program. The Aitken Ranch site will be a keystone parcel in this program, providing a future open space buffer between the City of Lincoln and Placer County agricultural lands to the west.

In order to evaluate this project, enclosed with this letter is the Alternatives Analysis written in compliance with the 404(b)(1) guidelines. We would like to meet with you to discuss these issues and obtain concurrence on the LEDPA. I will be contacting you to arrange a time and date. If you have any questions in the meantime, please contact either myself at (916) 274-0588 or Karen McWilliams at (916) 274-0631.

Sincerely,

John Webb  
Chief, North Region Environmental Services

c: RC Slovensky, Tom Cavanaugh  
bc Kome Ajise, Karen McWilliams, Chris Collison

Attachment: (2 copies of Alternatives Analysis and a copy of the Lincoln General Plan, Housing Element and Public Facilities element)

KMcWilliams/KM